

**Minutes of the Carlisle Board of Health
May 14, 2013**

Present: Board members Jeff Brem (Chairman), Catherine Galligan, Vallabh Sarma; absent was Donna Margolies; also present Linda Fantasia (Agent), Rob Frado (TCG), Karina Coombs (Mosquito) and Bill Risso (elected but not sworn in).

The meeting was called to order by the Chairman at 7:05 pm. at Carlisle Town Hall.

ADMINISTRATIVE REPORTS

Benfield Farms – There is \$572 remaining of the \$3500 collected in fees. The Board estimated that the field work could require an additional 10-20 hours of engineering time. This will be billed monthly at the rate of \$145.00 to cover engineering and overhead. The Board agreed to provide weekly activity reports so the developer can track ongoing costs. The Board will prepare a Financial Agreement and submit to the developer.

389 River Road – The existing system for the studio/garage was upgraded from a three to four bedrooms. The work required a number of additional septic inspections beyond the original fee collected. Typically unpaid fees are collected upon release of the Certificate of Compliance. The final inspection was approved on 12/28/11 but the Certificate was not signed by the design engineer or installer as required by Title 5. The owner has never requested the Certificate. According to the Building Inspector, the renovation did not require an Occupancy Permit. The additional Board of Health engineering work cost the town \$374.00. The Board could impose a \$300 per day fine for failure to comply with Title 5. The Board discussed the options. Board members had different interpretations on whether the Board has the authority to collect additional fees subsequent to the original application fee. It was agreed that in this case the Board should cover its engineering costs including overhead without a fine. Fantasia will prepare an invoice. Brem offered to check with the Finance Director, Building Inspector and Town Counsel for direction on collecting additional fees and/or imposing fines. The Board noted that it is the owner's responsibility to obtain the Certificate of Compliance so the bill will be sent to the owner.

Tobacco Grant Project Coordinator – Terry Curran, MSW, accepted the grant funded position. She will explore tobacco free multi-unit housing options for the town.

Board of Health Website – Ed Fields, senior tax worker, will update website in accordance with recommendations from the Collins Group.

CHNA Showcase – The Board's project on preventing tick bites was presented today at Lahey Clinic. Margolies, Fantasia, Jean Barry of the Lyme Disease Subcommittee and Judy Hodges, senior tax worker, attended. There was a lot of interest in the project and especially the poster display prepared last fall by the UMass Medical students. There were four requests for copies of the Tick Bite Prevention PSA.

PUBLIC HEARING CONTINUED: "Carlisle Supplementary Sewage Disposal Regulations" – continued to later in the evening.

PUBLIC HEARING GLEASON PUBLIC LIBRARY, 22 BEDFORD ROAD – replacement of septic tank and pump chamber. Joseph March, Stamksi & McNary, and Larissa Shyjan, Library Trustee were present.

March explained that as a result of a sewage backup into the building last April, his firm was retained to perform a comprehensive evaluation of the system. The leach field was found to be in excellent condition but there was inadequate slope between the building and tank which caused the backup condition coupled with root infiltration. The tank and pump chamber were also experiencing runoff and groundwater infiltration. The Library is requesting to replace the existing septic tank and pump chamber under Local Upgrade Approval as a result of wetlands on the site. March said the Library metered flows are approximately 170 GPD. The leaching field can handle 800 GPD based on size. Since there are no Title 5 design flows for libraries, they applied for an Alternative Design Flow of 335 GPD from DEP which was approved on 2/25/13. DEP requires that water usage be monitored monthly and submitted to the Department. The Library may apply to remove this condition after one year. The location for the

new tanks and pump chamber will be farther from wetlands than the existing location. The line to the D-box will also be replaced. The project is being filed with the Conservation Commission. Frado questioned the tank and pump chamber buoyancy calculations. March explained that the pump chamber, although smaller, is actually heavier than the tank since it has 5" rather than 4" thick walls. The calculations are correct. The septic tank is a monolithic tank. March said the specifications for the tank are called out on the plan and it is readily available. These tanks are not often used because they cost more, but they work better with a high water table. The Library will need to close for 1-2 days during the work in order to place the new tanks and resurface the driveway.

Board members were familiar with the proposal from previous discussions and there were no further questions.

It was moved (Galligan) and seconded (Sarma) to close the public hearing. It was moved (Galligan) and seconded (Sarma) to approve plan entitled "Sewage Disposal Plan, 22 Bedford Road, Carlisle MA for the Gleason Public Library, designed by Stamsk8 & McNary, revised 3/29/13" and grant the following waivers under Local Upgrade Approval (310 CMR 405 – Reduction in System Setbacks): Septic tank to BVW required – 25', provided 24.5' and pump chamber to BVW required 25', provided 21.2' conditional upon approval by the Conservation Commission for work in the buffer zone and compliance with DEP Alternative Flows Approval letter dated 2/25/13.

PUBLIC HEARING CONTINUED: "Carlisle Supplementary Sewage Disposal Regulations"

Discussion continued on the proposed revisions. Brem, Risso and Frado held a telephone conference to discuss retaining seasonal high water testing for new construction. Frado had checked with DEP Regional contact, Claire Golden who said there are not many towns that still require this testing. High water testing is a remnant of the pre-1995 Code. Soil evaluation has become a very acceptable methodology throughout the country. The only reason for this not to be true would be soil characteristics specific just to Carlisle. As an example Frado said that determining high water in sand can be difficult because there may not be a clear demarcation of the soil profile which might also contain streaks. He is aware of only three areas in Carlisle that might have sandy characteristics (Foss, Curve and Maple). Soil evaluation is intended to provide an 8-10 year span of the water table history. Most towns only do soil morphology. Waiting for spring high water season can cause a financial hardship for a developer. It is not required for repairs. Risso said he is no longer a skeptic. The Board agreed that there is already a safety factor in Title 5 as a result of the required separation to groundwater. Massachusetts requires a minimum 4' vertical separation above the water table. New Hampshire only requires 2'. By allowing testing year round, percolation tests and test pits could be done at the same time. Sometimes it is not possible to do a percolation test because the soil is too wet in the spring.

The Board agreed that based on the discussions with DEP, built in safety factor of Title 5, science behind soil morphology, and relief from financial burden the Board could reasonably eliminate in-season testing for new construction without jeopardizing any environmental or groundwater protections. The Board will vote the final version at the next meeting.

108 HEMLOCK HILL ROAD – The deed restriction was finally recorded on 5/14/13 with book and page reference submitted to the Board. The Board had approved an addition on 11/26/12 conditional upon recording of a garbage grinder deed restriction. Work already started on the addition even though the restriction had not been recorded. Without the restriction the room count exceeds the septic capacity. Brem agreed to check with the Building Inspector to see if Board of Health conditions are included in his permitting process. Currently the Board does not sign off on the Building Department orange card as do the other inspectors. The Board forwards a copy of the Certificate of Compliance as required by Title 5. It would be better to have all the sign-offs on one card.

Galligan noted that although the owners had eventually complied, it required staff time to make it happen. Two reminder letters in addition to the original approval letter were sent and followed up. The fact that the owners failed to comply with the Board's conditions and proceeded with their building plans could justify issuance of a fine. The Board agreed to defer a decision until the next meeting. The owners will be invited to attend.

The Board agreed that it needs a methodology for issuing fines so that it is fair and consistent. Title 5 and the local regulations provide for \$300 per violation and each day is considered a separate violation. This could result in excessive fines and be unrealistic. The Board needs to establish a policy in order to evaluate when it is appropriate

to issue a fine rather than waiting until circumstances become unmanageable. The policy should include a tiered approach depending on the severity of the violation, maintaining an official record, timelines for notifications, informing owners of the potential penalties, deciding on appropriate remedies and finally a process for issuing a release.

Hazardous Waste Collection May 4, 2013 – Clean Harbors collected 27 full and 62 partial loads. Also collected for the first time were 13 sharps containers (7 small red boxes, 4 1-gallon containers, 1 small bottle and 1 extra-large box) including 3 containers sold that day. Galligan monitored the sharps collection and suggested that next year residents be required to seal the containers with tape since one partially opened during the collection. Total sharps collected equaled one of the large Clean Harbors boxes. The Board agreed it will only accept official sharp red containers next year. Residents can purchase and repackage ahead of the collection. It was also suggested to check with the Police Dept. to see if there is a way to issue a temporary sticker, or sell actual ones, to residents who arrive without one. The Board was curious on how DPW handles private rubbish contractors. There should be some proof of residency for the trash brought.

Board Reorganization – next meeting.

MINUTES – It was moved (Galligan) and seconded (Sarma) to approve the minutes of 3/19/13 as amended. Motion passed 4-0-0. It was moved (Galligan) and seconded (Sarma) to approve the minutes of 4/16/13. Motion passed 4-0-0.

BILLS – include nursing, engineering and wages and salary. It was moved (Galligan) and seconded (Sarma) to approve the bills as presented. Motion passed 4-0-0.

Galligan explained that TCG management has been reduced to 25% of engineering costs which was the Board's target.

Community Septic Loan – It was moved (Sarma) and seconded (Margolies) to approve installation costs for Loan #13-01T5 in the amount of \$23,692.00. Motion passed 4-0-0.

There was no further business. Meeting voted to adjourn at 9:24 pm.

Respectfully submitted,

Linda M. Fantasia,
Recorder